

### **REMARKS**

Applicant appreciates the Examiner's attention to this application.

This response amends the specification in consideration of formalistic issues, such as correction of a reference number. This response also cancels claim 1-11 and enters new claims 12-29. Claims 12, 22, 24, and 28 are the pending independent claims. Reconsideration of the present application in view of the enclosed amendments and remarks is respectfully requested.

### **ARGUMENT**

The Office Action includes rejections based on 35 U.S.C. §§ 102(e) and 103(a). Applicant respectfully traverses those rejections.

#### **35 U.S.C. § 102(e)**

The Office Action rejects claims 1, 2, 8 and 11 under 35 U.S.C. § 102(e) as being anticipated by U.S. patent no. 6,083,281 to Michael Diec et al. (hereinafter "Diec"). To the extent that this rejection might be applied to the claims as amended, Applicant respectfully traverses.

For a valid rejection under 35 U.S.C. § 102, "[t]he identical invention must be shown in as complete detail as is contained in the ... claim." (MPEP § 2131.01, quoting from *Richardson v. Suzuki Motor Co.*, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989)).

The pending claims of the present application pertain to the use of cooperative execution with a debugging host, to debug a distributed software environment. Specifically, claim 12 involves a distributed software environment and a debugging host outside of the distributed software environment. When software programs in the distributed software environment execute, the distributed software environment generates event records and may forward those event records to the debugging host. The debugging host may use the event records to provide "a simulation of the distributed software environment at the debugging host." Similarly, pending claim 22 and 28 involve a "debugging host" that (a) receives event records

from a distributed software environment and (b) simulates the distributed software environment, based at least in part on one or more of the received event records. In addition, claim 24 pertains to a system for generating event records and forwarding event records to a debugging host to allow the debugging host to simulate the distributed software environment.

Diec, by contrast, pertains to a method for tracking software entities in a distributed system, using a network management entity to “keep track of the location of the entities in the system” (Abstract). Diec does not disclose using event records to simulate a distributed software environment at a debugging host. Consequently, Diec does not anticipate any of the pending independent claims.

35 U.S.C. § 103(a)

The Office Action rejects claims 3-7 under 35 U.S.C. § 103(a) as being unpatentable over Diec in view of U.S. patent no. 6,125,392 to Timothy E. Labatte et al. (hereinafter “Labatte”). The Office Action rejects claim 9 under 35 U.S.C. § 103(a) as being unpatentable over Diec in view of U.S. patent no. 6,539,501 to Jermaine C. Edwards (hereinafter “Edwards”). The Office Action rejects claim 10 under 35 U.S.C. § 103(a) as being unpatentable over Diec in view of U.S. patent no. 5,642,478 to Chin-Huang Chen et al. (hereinafter “Chen”). To the extent those rejections might be applied to the pending claims, Applicant respectfully traverses.

Labatte relates to a method for compressing event log data by compressing multiple events into a single log entry (col. 2, lines 37-42). Edwards relates to using multiple instances of a “log method” in a program to generate log records. The log methods can be controlled by use of a variable and an “identifier parameter.” (col. 1, lines 41-54). Chen relates to a debugging facility for tracing “hardware and software faults” in a distributed digital system. Specifically, the debugging facility includes an “event data capture circuit” integrated into each “processing node.” The “dedicated trace data acquisition circuits provide continuously available trace data for the hardware and software functions within each node.” (Abstract)

As indicated above, Diec does not anticipate the pending independent claims. Furthermore, Labatte, Edwards, and Chen say nothing about simulating a

distributed software environment at a debugging host. Consequently, even if Diec were to be combined with Labatte, Edwards, or Chen, the combinations would not render the pending independent claims unpatentable.

In addition, the dependent claims inherently include the features of their respective parent claims. The dependent claims therefore also patentably define the present invention over the cited art.

Moreover, the claims recite additional features that are not disclosed or suggested by the cited art. For instance, claim 13 pertains to an embodiment in which the simulation of the distributed software environment is provided "at the debugging host substantially simultaneously with execution of the first and second software programs in the distributed software environment." Claim 20 involves transmitting "an event token" from the distributed software environment to the debugging host and "expanding the event token at the debugging host, based at least in part on a predetermined sequence of events associated with the event token." Claim 28 involves a debugging host with a simulator that "tracks state changes within the simulated distributed software environment, based at least in part on one or more of the event records received from the distributed software environment."

For reasons including those set forth above, the Office Action fails to make out a *prima facie* case of obviousness for any of the pending claims.

For these and other reasons, all pending claims are allowable.

#### **INFORMATION DISCLOSURE STATEMENTS**

Enclosed please find copies of information disclosure statements (IDSs) that were filed for this application on October 8, 2001, and January 8, 2003, along with corresponding return-receipt postcards. Applicant respectfully requests confirmation that the Examiner has considered the references listed on those IDSs, since the Office Action that was faxed to us by the Examiner on June 17, 2004 did not include copies of those IDSs with initials.

09/885,456

**CONCLUSION**

In view of the foregoing, claims 12-29 are all in condition for allowance.

If the Examiner has any questions, the Examiner is invited to contact the undersigned at (512) 732-3927. Early issuance of Notice of Allowance is respectfully requested.

Respectfully submitted,

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